

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tokuo TSUURA et al.

Application No.: 10/534,798

Confirmation No.: 8677

Filed: October 13, 2005

Art Unit: 1791

For: PART FOR CASTING

Examiner: D. R. Cordray

**INFORMATION DISCLOSURE STATEMENT**  
**(SUBMISSION AFTER FILING OF AN APPLICATION BUT BEFORE FINAL**  
**REJECTION OR NOTICE OF ALLOWANCE OR CONCURRENTLY WITH A RULE**  
**1.114 RCE APPLICATION)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-SB08(s), attached hereto.

II. COPIES

- ☒ a. Copies of cited U.S. patents and patent application publications are not included.  
Copies of foreign patent documents and non-patent literature are included.

☐ b. Some or all of the documents listed on the PTO-SB08 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

☐ c. REFERENCES PREVIOUSLY CITED OR SUBMITTED - Pursuant to 37 C.F.R. §1.98(d), consideration of information listed on the PTO-SB08 form(s) is requested since any patents, publications, or other information which are listed on the PTO-SB08 form(s) but for which copies are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

### III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

☒ a. DOCUMENTS IN THE ENGLISH LANGUAGE – Some or all of the patents, publications, or other information listed on the attached PTO SB08 are in the English language and therefore, do not require a statement of relevancy.

☒ b. DOCUMENTS NOT IN THE ENGLISH LANGUAGE - A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows: Applicants note that European Patent Application No. 0 062 193 is an English language equivalent to JP 57-177846 and European Patent Application No. 1 488 871 A1 is an English language equivalent of JP 2004-195547. Computer generated English translations are attached for JP 11-254091-A, JP 5-31128-A JP 6-327704-A, JP 9-253792-A and JP 08-267222-A. Further, English language Abstracts are attached for JP 1-60742-U, JP 1-278935-A, JP 59-165743-U, JP 62-89758-A, JP 53-48026, WO-00/58556-A1, WO-01/64527-A1, JP 1-278935-A, WO-3076104-A1 and WO-2004/043627-A1. Applicants note that U.S. Patent Nos. 5,569,320 and 5,611,848 are U.S. Patent equivalents to KR 0128008-B1. Further, Applicants note that U.S. Patent Publication No. 2003/0029591 which was cited by the Examiner on February 28, 2006 is a U.S. Patent equivalent of WO 01/64527-A1.

☒ c. ENGLISH LANGUAGE SEARCH REPORT - An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

☒ d. OTHER - The following additional information is provided for the Examiner's consideration. A copy of European Office Action issued in European Patent Application No. 03 811 112.6 on July 18, 2008 is attached hereto. The European Office Action Communication lists EP 1577 034 and JP 2004-174605 as D9. However, these are the publications of the present application and are, thus, considered to be erroneously cited by the EP Examiner. These references have not been cited on the attached PTO SB08. Documents D1 – D3 cited in the European Office Action Communication were previously filed with the USPTO in an Information Disclosure Statement filed February 6, 2006; and D4 and D5 cited in the European Office Action Communication were previously filed with the USPTO in an Information Disclosure Statement filed on May 12, 2005. Additionally, a copy of European Search Report issued in European Patent Application No. 03710293.6 on May 4, 2006, Korean Office Action issued in Korean Patent Application No. 2003-7011378 on April 28, 2005, Japanese Office Action issued in Japanese Patent Application No. 2003-054518 on March 28, 2006 and December 6, 2005, Korean Office Action issued in Korean Patent Application No. 2003-7011378 on October 24, 2005, Japanese Office Action issued in Japanese Patent Application No. 03800113.6 on July 28, 2006 and Korean Office Action issued in Korean Patent Application No. 2006-7001657 on March 16, 2006. An English language translation is attached for all foreign Office Actions.

IV. FEES (check one box)

☐ a. This Information Disclosure Statement is being filed concurrently with the filing of a new patent application; therefore, no fee is required.

☐ b. This Information Disclosure Statement is being filed concurrent with the filing of a continuation-in-part, continuation, or divisional patent application; therefore, no fee is required.

☐ c. This Information Disclosure Statement is being filed within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*

☐ d. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

☒ e. This Information Disclosure Statement is being filed concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

☐ f. This Information Disclosure Statement is being filed before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account for the fee as required by 37 C.F.R. § 1.17(p).

☐ g. This Information Disclosure Statement is being filed before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

☐ No statement; therefore, a fee as required by 37 C.F.R. § 1.17(p) is attached.

or

☐ See the statement below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(e)

(check only one box)

The undersigned hereby states that:

☐ a. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than 30 days prior to the filing of this IDS; or

☐ b. Each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

☐ c. No item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

☐ d. Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VI. PAYMENT OF FEES (check one box)

☐ The required fee is listed on the attached Fee Transmittal.

☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is

requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: OCT 17 2008

Respectfully submitted,

By 

*MTC* John W. Bailey  
Registration No.: 32,881  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Attachments:

- ☒ PTO/SB/08
- ☒ Documents
- ☒ Foreign Search Reports
- ☐ Fee
- ☒ Other: Foreign Office Actions